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6  
 7 UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

8 MORGAN STANLEY & CO., INC.,

Case No. 2:09-cv-00398

9 Interpleader  
 10 Plaintiff,

11 vs.

12 SHRINERS HOSPITALS FOR CHILDREN;  
 SHRINERS HOSPITALS FOR CHILDREN  
 13 (QUEBEC) INC.; JOSEPH L. SURACE, an  
 individual, residing in Arizona; and THE ESTATE  
 14 OF MAURITS JOZEF VAN PRAAG,

15 Interpleader  
 16 Defendants.

17 FINAL JUDGMENT

18 This case came before the court through an action in interpleader filed by interpleader  
 19 plaintiff, MORGAN STANLEY & CO., INC. ("Morgan Stanley"). Morgan Stanley, in its  
 20 Reno, Nevada office, held an investment account and funds of MAURITS JOZEF VAN  
 21 PRAAG ("decedent"), who died on August 21, 2002, in Canada, his country of residence.  
 22 Following decedent's death, claims to the funds in his investment account with Morgan Stanley  
 23 were asserted by the interpleader defendants, including the SHRINERS HOSPITALS FOR  
 24 CHILDREN and the SHRINERS HOSPITALS FOR CHILDREN (QUEBEC) INC., JOSEPH  
 25 L. SURACE, and THE ESTATE OF MAURITS JOZEF VAN PRAAG (by and through the  
 26 Estate's executor, Robert Dyson, hereinafter referred to as "the Estate").

27 Following the filing of Morgan Stanley's interpleader complaint, and answers thereto  
 28 by the interpleader defendants, each claiming an interest in the funds, the parties stipulated to

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1 leave the disputed funds of the decedent with Morgan Stanley, pending a determination by the  
 2 court as to which of the interpleader defendants was entitled to the funds. The parties engaged  
 3 in discovery and the Estate then filed a motion for summary judgment, asserting its rights to  
 4 the decedent's funds in the Morgan Stanley investment account. The court, after several delays  
 5 to allow parties to pursue additional discovery, considered the motion for summary judgment,  
 6 together with the oppositions filed thereto by the other interpleader defendants, and the other  
 7 pleadings and documents filed in this case. By order (doc. #88) entered on February 28, 2012,  
 8 the court granted the Estate's motion for summary judgment, determining that the funds in the  
 9 decedent's Morgan Stanley investment account belong to the Estate. The court expressly  
 10 determines that there is no just reason for delay in now entering final judgment, and good cause  
 11 appearing therefore, final judgment is hereby entered as follows:

12 **IT IS HEREBY ORDERED ADJUDGED AND DECREED:**

13 1. That upon his death, all of the funds in the decedent's investment account with  
 14 Morgan Stanley, which are the subject of this pending interpleader action, became an asset of  
 15 and now belong to the decedent's Nevada Probate Estate, Case No. P57584, presently pending  
 16 before the Clark County, Nevada, District Court, Probate Division, with Mr. Robert Dyson the  
 17 duly appointed and acting executor of the Estate.

18 2. As a result of its need to file the interpleader action to determine entitlement to  
 19 the decedent's funds in its investment account, Morgan Stanley, before delivering the funds  
 20 to the Estate, is entitled to deduct therefrom its reasonable costs and attorney's fees incurred  
 21 in this proceeding, which the Estate and Morgan Stanley have agreed is the sum of \$40,000.00.

22 3. After deducting its fees and costs as above provided, and without the need of  
 23 depositing the remaining funds with this court, Morgan Stanley shall then deliver and pay over  
 24 forthwith directly to the Estate of Maurits Jozef Van Praag, Deceased, in Case No. P57584,  
 25 presently pending before the Clark County, Nevada, District Court, Probate Division, with Mr.  
 26 Robert Dyson the duly appointed and acting executor of the Estate, all of the remaining funds  
 27 in the decedent's Morgan Stanley investment account. Payment to the Estate may be made by  
 28 delivering a check for the amount of the funds, made payable to the "Estate of Maurits Jozef

Van Praag, Deceased", to the Estate's Nevada legal counsel.

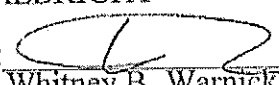
Dated March 28, 2012.

  
UNITED STATES DISTRICT JUDGE

Approved as to form and content by:

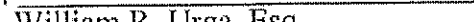
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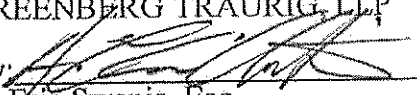
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